

Ejectment suit 393 of 2025
(CNR No. WBPS01-000731-2025)

Before Sri. Biswarup Bandyopadhyay, Ld. Chief Judge-in-Charge

05.

22-12-2025

Ld. Regular P.O is on leave.

Record is put up before me.

Today is fixed for hearing of petitions u/s 7(1) & u/s 7(2) of W.B.P.T Act filed by the defendant on 16-12-2025, w/o if any in the meantime along with direction upon the defendant to file W/S within the prescribed period of Limitation.

Plaintiff files hazira.

Defendant files hazira along with two fresh petitions u/s 7(1) & u/s 7(2) of W.B.P. T Act and another petition praying for time for filing W/S on the ground stated therein. Copies served. Let the same be kept with the case record.

Now the matter is taken up for hearing. At the time of hearing the the defendant not pressed the petitions u/s 7(1) and u/s 7(2) of W.B.P.T. Act filed on 16-12-2025 after endorsement.

Hence the petitions u/s 7(1) & u/s 7 (2) of W.B.P.T. Act filed by the defendant on 16-12-2025 is rejected being not pressed.

At this stage petition u/s 7(1) of W.B.P.T. Act dt. 22-12-2025 is taken up for hearing.

Heard. Ld. Advocates for both sides.

Perused the petition u/s 7(1) of W.B.P.T. Act and materials on record. By the instant petition, defendant has prayed for permission to deposit the current rent commencing from the month of December, 2025 as well as admitted arrear of rent, on the grounds stated therein.

05 (contd...)

22-12-2025

The petition is within time and also formal in nature. Unless the same is allowed, defendant shall suffer loss and injury. Besides the plaintiff shall not be prejudiced in any way if, the same is allowed.

Hence,

it is

Ordered

that the petition u/s 7(1) of W.B.P.T. Act filed by the defendant this day i.e 22-12-2025 is allowed.

Defendant is hereby permitted to pay/deposit the current rent commencing from the month of **December, 2025** thereafter month by month by 15th of each succeeding month at his own risk without prejudice to the right and contentions of the parties within the time frame as prescribed under the law.

Defendant is also permitted to pay / deposit the admitted arrear of rent as prayed for, calculated at the rate at which it was last paid and up to the end of the month previous to that in which the payment is made together with interest @ 10% p.a., within the time frame as prescribed under the law at his own risk without prejudice to the right and contentions of the parties.

Prayer for time for filing W/S is considered and allowed.

Fix 30-03-2026 for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime. Defendant is required to file written statement within the prescribed period of limitation.

Chief Judge-in-Charge
J.O. Code WB 01133